

MEMO ENCLOSED

KRAMER LEVIN NAFTALIS & FRANKEL LLP

HAROLD P. WEINBERGER
PARTNER
PHONE 212-715-9132
FAX 212-715-8132
HWEINBERGER@KRAMERLEVIN.COM

November 17, 2014

BY E-MAIL (sullivannysdchambers@nysd.uscourts.com)

The Honorable Richard J. Sullivan
United States District Judge
Southern District of New York
Thurgood Marshall United States Courthouse
40 Foley Square
New York, New York 10007

USDS SDNY
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Re: Johnson & Johnson v. Guidant Corporation, 06-cv-7685 (RJS)

Dear Judge Sullivan:

We write on behalf of the parties in the above-referenced action to request that Your Honor permit the parties access to the courtroom prior to trial in order to set up A/V equipment and to bring into the courtroom boxes of exhibits and other materials. The equipment will permit the parties to more efficiently present evidence by quickly and clearly displaying and annotating electronic exhibits, video, and demonstratives during the course of the proceeding. Prior access to the courtroom will also allow the parties to bring into the courtroom and stow boxes and other materials prior to the start of trial, thereby reducing disruptions once the proceeding has begun.

Subject to your approval, delivery will be made to the courthouse by a white Chevy Express van bearing an Aquipt logo and PA license plate number YTY5775. The setup will take place on Wednesday, November 19, 2014 at around 10:00 a.m. Two of the following employees from Aquipt will be present for the setup: Ryan Knecht and Joe Malantonio. In addition, Marco Carego (FTI Consulting), Steve Schwartz (FTI Consulting), Rich Merisier (RLM), Jennifer Diana (Kramer Levin), Michelle Ben-David (Kramer Levin), Paul Colbourne (Kramer Levin), and Jon-Michael Dougherty (Boies Schiller) will be present during the setup. Aquipt will deliver and set up the following equipment in the courtroom:

- 1 - Speaker System (shared)
- 2 - VGA Switches
- Miscellaneous VGA and power cables and strips
- 1 - B&W Printers
- 2 - Color Printer (with copy/scan functionality)
- 1 - Laptop for the printer
- Printer toner and paper
- Network Equipment

1177 AVENUE OF THE AMERICAS NEW YORK NY 10036-2714 PHONE 212.715.9100 FAX 212.715.8000

990 MARSH ROAD MENLO PARK CA 94025-1949 PHONE 650.752.1700 FAX 650.752.1800

47 AVENUE HOCHÉ 75008 PARIS FRANCE PHONE (33-1) 44 09 46 00 FAX (33-1) 44 09 46 01

www.kramerlevin.com

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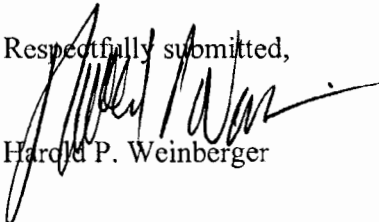
3 - Monitors
4 - 2x4' Folding Table with skirts
3 - Tripods
1 - Laser pointer
1 - Slide clicker

In addition, plaintiff has approximately 15 boxes of exhibits and other materials that will be brought into the courtroom during the equipment installation.

We are also writing to respectfully request that Your Honor approve a Proposed Amended Order concerning the technology specific individuals are authorized to bring into the courthouse. The Proposed Amended Order is attached. The sole change in the Proposed Amended Order is the entry for Richard Merisier, the RLM consultant assisting Boies, Schiller & Flexner, LLP, whose role at trial necessitates use of the listed equipment.

Thank you for your consideration.

Respectfully submitted,


Harold P. Weinberger

Enclosure

cc: John Gueli, Shearman & Sterling LLP
William Ohlemeyer, Boies Schiller & Flexner LLP
(both via PDF Email)

SO ORDERED

Dated:

11/17/14


RICHARD J. SULLIVAN
U.S.D.A.